

These are the minutes of the regular monthly meeting of the Board of Supervisors of the Town of Bass Lake, Sawyer County, held on Monday, February 11, 2008. Members present: Chairperson Sanders, Supervisors Hall, Meixner, McCue, Nies, Treasurer Aderman and Clerk Henk.

Chairperson Sanders called the meeting to order at 6:30 P.M.

Clerk Henk affirmed agenda was posted in compliance with open meetings law.

There was a motion by Nies, seconded by Hall to approve the agenda. Motion carried.

After a review of the check vouchers #19796 and 19798 to 19843 from the (R1) checking account, and check vouchers # 1162 to 1166 from the (R2) tax account, there was a motion by Hall, seconded by McCue to pay them. Motion carried.

Minutes of the January 14, 2008 regular monthly board meeting were presented to the Board. Motion by Nies, seconded by Meixner to approve. Motion carried.

A rezone application from Cranberry Ridge LLC, c/o Steve Sletner for approximately 30.40 acres to be rezoned out of the total 57.75 acres of which 24.85 acres is wetland and 2.5 acres is already zoned R/R1 for the construction of a condominium containing a maximum of 28 single family units was presented to the Board. Sletner reported he has gained the required permits from the DNR and the Corp of Engineers and he met with the Grindstone Lake Association on three occasions and dealt with Tom Gleason, President and Bruce Paulsen to arrive at language for nine conditions. Supervisor Nies was present during discussions as facilitator only because he has a vote as a Town Board member. Sletner requested that his letter dated January 31, 2008 be approved as conditions of approval. He also stated that of the 28 homes, only 17 of them will have lake access upon recording of the final plat and he will designate on the final recorded document which 17 units will have lake access. Sletner reported the scenic easement and lake assess will be put on the recorded documents so the Home Owners Association (HOA) cannot change these at a later date. Sletner stated he has agreed that the GLA will be paid \$500.00 annually by the HOA to monitor compliance with the conservation easements. Discussion followed. Motion by Hall, seconded by Nies to approve rezone with the nine conditions to be placed by covenant on the deed as listed on Cranberry Ridge letter dated January 31, 2008 and to attach map and GLA letter as well. Motion carried. This is not a plat approval. Applicant has agreed to conditions. Planning Committee recommendation to approve with conditions is on file with finding of fact.

A conditional use application from Dale Ursprung for a permit for the sale of used cars using existing structures by the purchaser was presented to the Board. Mr. Ursprung, owner of the property and Dave Moeller, his business partner, were both present. Six letters were received from Zoning. Five with objections and one with no objections.

Discussion followed. Moeller stated they will be cutting trees down toward the Eby property and grading from the driveway to the property line with Eby to open up visibility from the corner. Motion by Meixner, seconded by Nies to approve with conditions and to change condition (3) to read "Maximum of 15 used vehicles for sale at any one time". Applicant has agreed to conditions. Motion carried. This conditional use is granted only to

named applicant. Planning Committee recommendation to approve with conditions is on file with finding of fact.

A variance application from Patricia and Carleton Johnson for the reconfiguration of an existing two lot parcel (CSM Volume 29 page 123) into a new two lot parcel with the proposed lot one containing approximately 43,500 square feet and the proposed lot two containing approximately 67,000 square feet was presented to the Board. The proposed reconfiguration will result in the common lot line encroaching into an existing detached garage and also being located approximately 2' from an existing dwelling. Additionally, the lot depth of the proposed lot 1 cannot be maintained to a minimum depth of 200' from the ordinary high water mark of the lake. The variance is requested as Section 3.0, 3.7 Sawyer County Subdivision Control/Condominium Ordinance, would require that the proposed division not result in non-conforming structures. Mr. Johnson's agent, Paul Smith, was unable to attend due to illness but sent a fax which Sanders read. Three letters were received from Zoning. Two with no objections, and one with objections. Nies reclused himself in this matter and read his letter that was attached to his objection. Discussion followed regarding creating a non compliant lot if it was approved. Motion by McCue, seconded by Hall to deny application and include "it would not be due to special conditions unique to the property". Motion carried. Planning Committee recommendation to deny is on file with finding of fact.

Chairperson Sanders read correspondence from Sawyer County Zoning- S. Friendshuh withdrew his variance application.

Planning Committee minutes from January 3, 2008 were presented to the Board. Motion by Nies, seconded by Hall to accept minutes. Motion carried.

Nies reported the Land Use Permit Statistic Summary for 2007 received from Zoning. There were 17 new dwellings, 19 additions and 27 garages constructed in the Town of Bass Lake in 2007.

The minutes of the December 4, 2007, January 8, 2008 Fire Department business meetings and the December 18, 2007 training meeting were presented to the Board. Motion by Nies, seconded by Meixner to accept all three minutes. Motion carried.

Sanders stated there was a discussion last month regarding where original Fire Department Employee Personnel Files should be kept. Motion by Nies, seconded by McCue for all original Fire Department Employee Personnel Files to be held by the Town Clerk and for the Fire Department to have a working copy. Motion carried.

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Nies gave an update on the complaint investigator. The complaint was filed last month and ultimately went to the Department of Workforce Development (DWD) and they requested a new complaint form be filled out and filed. The complaint was filed with the Town Clerk on February 7, 2008 at 6:31 p.m. and mailed to DWD, therefore there shouldn't be a cost incurred by the town and the DWD will be in contact with the complainant.

Treasurer Aderman reported that on January 22, 2008, Dave Aubart turned over \$391.70 from the FD Men's Auxillary Funds and she deposited it in the Fire Department Donation Account. Aderman reported she has the transactions that created this account. Nies requested this be discussed in closed session.

The minutes from the January 7, 2008 Fire Department Ad Hoc Committee were not available. Sanders will provide them for the next meeting.

Treasurer Aderman reported that as of January 31, 2008 the Town had a total of \$2,428,872.42 in all of their accounts and that she and Clerk Henk balance for the month. Aderman reported the backhoe balloon loan payment is due April 1, 2008 but she has spoken to Johnson Bank and if the Chairperson can come in to renegotiate, the bank would lower the rate to less than 4% interest. Motion by Nies, seconded by McCue to give Chairperson authority to renegotiate backhoe loan with a lower interest rate. Motion carried. Motion by Meixner, seconded by Hall to accept Treasurer's report. Motion carried.

Clerk Henk inquired regarding the library donation that was budgeted. Sanders reported the WTA newsletter indicated donations to non profit organizations may be prohibited. Motion by Sanders, seconded by Meixner to table until next month and look in to legality of it. Motion carried. Clerk Henk reported she has been having trouble with her computer and CCS will be coming to inspect it and they have indicated it may possibly need a new hard drive. Motion by McCue, seconded by Nies to authorize Clerk to do what is necessary to fix her computer and to accept Clerk report. Motion carried.

Chairperson Sanders spoke to Brian Bisonette from the Lac Courte Oreilles Tribal Governing Board regarding the Native American exemption from property taxes. He will be meeting with him and the assessor on February 13, 2008 which is open to the public to discuss specific details for certifying exemption and procedures that will need to be implemented. Sanders asked Aderman if there were currently any refund requests. Aderman reported there was one to her knowledge she was told by the County Treasurer Ince to just process it and it has already been paid to the school and the county. Sanders requested Aderman speak to Ince tomorrow about refunding it. Nies inquired how the Town will recover the money that is being currently taken away that was levied and budgeted and if backtaxes are eligible. Sanders reported County Treasurer Ince originally requested a legal opinion from TJ Duffy and she was told it was the responsibility of the town's and village's to determine.

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The Fireside presented successor agent, Erica Warshawsky, to the Board. Motion by Meixner, seconded by Nies to approve and be valid beginning February 18, 2008 contingent upon all paperwork to be received by Clerk. Motion carried.

The LCO Athletic Club presented successor agent, David Orabutt, to the Board. Motion by Meixner, seconded by McCue to approve. Motion carried.

A cigarette license application from TB Margaritaville was presented to the Board. Motion by Hall, seconded by Nies to approve. Motion carried.

An operator license application for Rick Harrison was presented to the Board. Motion by Hall, seconded by Meixner to approve. Motion carried.

A Water Exhibition Special Conditions Permit from Tom Burgess, Secretary of the Courte Oreilles Sailing Club was presented to the Board for sailboat races in 2008 on June 28, July 5,

July 12, July 26, August 2, August 9, August 16 and August 30. Motion by Hall, seconded by Nies to approve all dates. Motion carried.

Nies reported there is a \$50.00 Annual WTA Dues to be a Sawyer County affiliate. Motion by Nies, seconded by Sanders to authorize Clerk to pay \$50.00 in dues to WTA. Motion carried.

Discussion followed regarding board policy concerning legal council and opinion requests. Sanders stated historically it was coordinated through the Chairperson so other Supervisors weren't calling regarding the same issue. Motion by Nies, seconded by Meixner to designate Chairperson as individual responsible for legal requests unless another Supervisor is authorized directly by the Chairperson to contact legal council. Motion carried.

Resolution Number 2-11-2008 to formally adopt the HRA plan and to be retroactive effective May 14, 2007 was presented to the Board. Sanders clarified the HRA takes the responsibility away from the Board regarding which medical expenses are allowed and the Third Party Administrators are also responsible for filing papers with the IRS. Motion by Nies, seconded by Sanders to approve. Motion carried.

A resolution was not available for the Board meeting from the Third Party Administrator, but Ed Jaekals of JJA Administrators asked for the Board to approve North Central Trust as the trustee for the HRA this month and he will have a formal resolution available for the Board next month. Motion by Sanders, seconded by Meixner to approve North Central Trust as the trustee for the HRA. Motion carried.

Sanders reported the propane heater at the Transfer Station if not working properly. A year or two ago a baseboard heater was put in, but that unit alone was not enough to heat the building. Co-op inspected the propane heater to make repairs, but

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discovered they cannot due to it being an illegal heater installation and is not properly vented. Co-op estimated it would cost \$700.00 to install a vented 10,000 BTU propane heater. Meixner will contact Clerk with suggestion of who she should call for a second estimate.

Motion by Nies, seconded by Hall at 7:52 p.m. to go into closed session after a ten minute recess pursuant § 19.85 (1)(c)(f) and § 19.85 (2) for the purpose of employee evaluation, employment, promotion or compensation for review of Town, Highway Department employees and Fire Department employees. The Board may reconvene into open session. Motion carried.

Motion by Nies, seconded by Sanders to move back and reconvene into open session at 9:35 p.m.

Motion by Nies, seconded by Hall to place wage increases in open session. Motion carried. Motion by Nies, seconded by Meixner to approve increasing wages for Transfer station attendant to \$10.57 per hour and to be effective retroactively to January 1, 2008. Motion carried. Motion by Nies, seconded by Sanders to increase Clerk salary by \$1,000.00 and to be effective retroactively to January 1, 2008. Motion carried.

Motion by Meixner, seconded by Sanders to adjourn meeting at 9:36 p.m. Motion carried.

/s/ Dawn Henk, Clerk